



Metro Detroit



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Building Owners & Managers Association of Metro Detroit

NO ON SB 610 Broker Lien

The Building Owners and Managers Association of Metropolitan Detroit (BOMA) urges your opposition to Senate Bill 610, a bill that would dramatically alter the commercial real estate business in Michigan. At a time when commercial real estate is extremely stressed due to restricted credit markets, rising vacancy rates, and dramatic increases in taxes due to the surcharge of the Michigan Business Tax, now is not the time to throw additional administrative burdens and legal restrictions on the industry. In addition to their current legal remedies, SB 610 would grant real estate brokers the extraordinary ability to place a nonconsensual lien on commercial properties if their commissions are in dispute. BOMA believes that the Michigan legal system already provides ample remedies to resolve any disputes over commissions, thereby making the proposed legislation unnecessary. If the broker has an appropriate contract with its client, the broker should be sufficiently protected by the current state of the law. Allowing a broker to record a claim of lien creates a potential cloud on the title of commercial real estate thereby making commercial real estate transaction less attractive. The bill would likely increase litigation, add additional costs, and delay closing transactions with no countervailing economic benefit to the State of Michigan or the commercial real estate industry. Adding a new special right for brokers to place liens on property is an unjustified and precedent setting attack on basic property rights. Our association represents over 400 member companies and over 250 million square feet of office space in southeast Michigan. BOMA members represent every aspect of our industry from building owners, building managers, real estate brokers, and various suppliers including landscapers, roofers, janitorial services, utilities, construction firms and architects. We are primarily comprised of business owners who have made the choice to invest in Michigan and create jobs. Now is not the time to place new administrative road blocks on the commercial real estate industry in Michigan. If you have any questions or would like additional information about BOMA, or our opposition to SB 610, please do not hesitate to call us at (248) 848-3714 or email at janglois@bomadetroit.org.

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